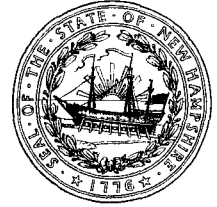




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

**LETTER OF DEFICIENCY
WET 06-046**

May 11, 2006

Town of Barnstead
Selectmen's Office
Box 11
Center Barnstead, NH 03225

RE: NHDES Wetlands File #2005-02951 Town of Barnstead on Property of Waszkiewicz, Tax Map 39, Lot 18B -1 Emerson Dr., Culvert Complaint

Dear Sirs:

On 1/27/2006, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Barnstead Tax Map 39 as Lot 18B (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800.

During the inspection the following deficiencies were documented:

1. A 15" diameter x approximately 70' culvert was installed by the Town of Barnstead on the above-referenced property without a permit from DES
2. The unauthorized culvert is also of a lesser diameter than the preceding upstream 24" culverts creating impoundment of flow and flooding on adjacent properties.

In response, you are requested to take the following actions:

1. **By June 15, 2006**, submit a restoration plan to DES depicting the following:
 - a. existing conditions and proposed relocation and replacement of under-sized culvert such that the culvert size is equal or greater to the preceding upstream culverts;
 - b. details of erosion/siltation controls to be used;
 - c. details of construction sequence;
 - d. timeframe for accomplishing work no later than July 15, 2006;
 - e. parties to be responsible for overseeing and executing work
2. Execute the restoration plan immediately upon receipt of the Restoration Plan Approval from the DES Wetlands Bureau.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

NHDES Wetlands Complaint File 2005-2951

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

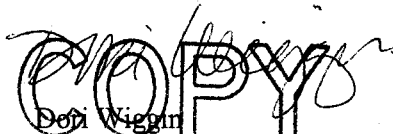
Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Dori Wiggin, East Region Supervisor
Wetlands Bureau
Department of Environmental Services
Pease District Office
50 International Drive , Suite 200
Portsmouth, NH 03801

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact me at (603) 559-0020.

Sincerely,


Dori Wiggin
East Region Supervisor
Wetlands Bureau

CERTIFIED MAIL 7002 2410 0001 6279 1352

cc: Rene Pelletier, Asst. Director, Water Division
Gretchen R. Hamel, Administrator, DES Legal Unit
Barnstead Conservation Commission
Barnstead Planning Department
USACOE
Herb & Gail Winters
Jan & Jean Waszkiewicz